

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
NE/S Reisterstown Road, 152' * DEPUTY ZONING COMMISSIONER
SE of Old Court Road (1507 Reisterstown Road)
3rd Election District * OF BALTIMORE COUNTY
2nd Councilmanic District * Case No. 90-95-X
Crown Stations, Inc. *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception to permit a food store with less than 5,000 sq.ft. as a use in combination with a gasoline service station in accordance with Petitioner's Exhibit 1.

The Petitioners, by Bernard F. Mannion, Real Estate Division, and Michael P. Malone, Engineering Division, appeared, testified and were represented by Andrew Lapayowker, Esquire. Also appearing and testifying on behalf of the Petition was George Coppinger, Independent Operator for the subject property. There were no Protestants.

Testimony indicated that the subject property, known as 1507 Reisterstown Road, consists of .616 acres zoned B.L.-C.T., and is improved with a "Gas & Go" service station. Petitioners testified that in late 1971, early 1972, a Crown Service Station was built on the subject property as the property was then zoned B.L.-C.S.A. which permitted said improvements as of right. The comprehensive zoning maps process in 1980 reclassified the property to B.L.-C.C.C. and thereafter, in 1984, to B.L.-C.T. Petitioners concede as this is an individual site in a C.T. district, the site is not permitted to have a service station by right and/or by special exception under Section 405.2 of the B.C.Z.R. Petitioners are desirous of replacing the attendant kiosk with a new building consisting of 462 sq.ft. for use as a food store with an area for payment of gasoline purchases.

Petitioners filed the instant Petition when the Office of Zoning raised the issue as to whether or not the site, which is located within the B.L.-C.T. zone, is permitted to add a food store with less than 5,000 sq.ft. of retail sales area since the service station is not permitted as of right or by special exception as currently zoned under the B.C.Z.R. Therefore, the service station use is a nonconforming use and as such, is governed by the requirements of Sections 104 and 405.8A of the Baltimore County Zoning Regulations (B.C.Z.R.). Petitioner contends that Section 405.8A permits as of right the expansion or construction of a gas station and any ancillary uses as listed in Section 405.4C. Section 405.8A states that:

Notwithstanding other provisions of these Zoning Regulations to the contrary, any automotive-service station which legally existed on December 31, 1967 and which has not lost its permitted status by reason of the termination of a special exception applying thereto shall be governed by the provisions of the following paragraphs:

A. Subject to the provisions of Paragraph C, below, the main structure of any such automotive-service station may be expanded or reconstructed and any ancillary uses listed in paragraph 405.4C may be added to any such establishment, provided that such station and all such expansion, reconstruction, or addition of uses: is either confined to the limits of the site as it existed on December 31, 1967 or to an expanded site as approved under Paragraph B...

Petitioner noted that while a food mart is not one of the permitted ancillary uses, a portion of Section 405.4C states that:

...Only uses listed in this Paragraph C or in Paragraph D (Uses in Combination with Service Stations) shall be permitted in conjunction with any service station regulated under this Subsection 405.4...

A food store with less than 5,000 sq.ft. is a use in combination under Section 405.4. The ancillary uses listed in Section 405.4C are permitted

as of right with a service garage use, while uses in combination listed in Section 405.4.D5 are permitted only after a special exception hearing.

Subsequent to the hearing, Petitioner submitted a Memorandum of Law in support of its position that the relief requested is proper. Petitioners' Memorandum rests on two arguments.

First, Petitioners contend "the conversion of the existing island attendant kiosks to a small express mart is at most, an intensification of an existing use and not a new or different use" and would be permitted under Section 104.1 of the B.C.Z.R. and the case law interpretation of nonconforming uses. Section 104.1 of the B.C.Z.R. states:

A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these Regulations; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used.

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property. Petitioners have established that the property enjoys a nonconforming use as a service station.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change or a change is proposed in the use of the subject property. A determination must be made as to whether or not the addition of the food mart is a different use, and therefore, not permitted as part of the service station non-conforming use. If

the food mart use is found to be different than the original use, the proposed use of the property shall not be considered non-conforming. See McKemy v. Baltimore County, Md., 39 Md. App. 257, 385 A.2d. 96 (1978).

Whether or not the food mart use represents a permissible intensification of the nonconforming use or an actual change from the prior legal use must be examined. In order to decide whether or not the proposed food mart activity is within the scope of the non-conforming use, the following factors must be considered:

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original non-conforming use;

(b) Is the current use merely a different manner of utilizing the original non-conforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original non-conforming use."

McKemy v. Baltimore County, Md., Supra.

The facts of the case do not support Petitioners' argument that the addition of the food mart to the service station is permitted as "it is at most an intensification of an existing use and not a new or different use and/or an ancillary use listed in Section 405.4C." In 1970, Petitioners were granted a special exception for the use of the property as a service station. The zoning regulations are very clear that food stores and service stations are not one and the same use. The effect is clearly different as in all cases the zoning regulations require a special exception hearing in order to add a food store to an existing service station, whether or not the station and/or a food mart standing alone are permitted as of right in a particular zone. Although the physical change to the

site may not be a drastic enlargement or extension, the addition of a food mart is the addition of a new use. In my opinion the addition of a separate use, distinguishable from the nonconforming use as a second use, is not mere intensification.

Section 101 of the B.C.Z.R. defines "accessory use or structure" as follows:

...An ancillary use shall be considered as an accessory use; however, a use of such a nature or extent as to be permitted as a "use in combination" (with a service station) shall be considered a principal use. (underlining added)

Clearly, the proposed food store with less than 5,000 sq.ft. is a use in combination under the zoning regulations and said addition would consist of a second use and therefore a different use not permitted under McKemy and/or Section 405.8A. Petitioner's argument that the expansion is permitted under Sections 405.8A and 405.4C is rejected.

The Petitioners' second argument that the relief requested is appropriate based upon other cases in which the Zoning Commissioner and Deputy Zoning Commissioner have granted similar petitions is rejected. A review of the decisions rendered in each case indicates that in none of the cases was the issue specifically addressed. The Deputy Zoning Commissioner cannot grant relief which is not permitted under the zoning regulations. To do so would usurp the County Council's legislative powers which clearly is not the function of the Deputy Zoning Commissioner. The role of the Deputy Zoning Commissioner is to interpret and implement the B.C.Z.R. as enacted by the County Council.

"All parts of a statute are to be read together to find the intention as to any one part and that all parts are to be reconciled and harmonized if possible. We have further said that a corollary to that rule is

that if there is no clear indication to the contrary and it is reasonably possible, a statute is to be read so that no word, clause, sentence or phrase shall be rendered surplusage, superfluous, meaningless, or nugatory." See, e.g., Thomas v. State, 277 Md. 314, 317, 353 A.2d 256 (1976), and the cases there cited. Supervisor of Assess., Etc. v. Southgate Harbor, 279 Md. 586, 369 A.2d 1053 (1977).

The question here is one of construction of the B.C.Z.R. When interpreting the zoning regulations, the restrictive language contained must be strictly construed so as to allow the landowner the least restrictive use of his property. Mayor of Balto. v. Byrd, 62 A.2d 588 (1948); Lake Adventure, Inc. v. Zoning Hearing Bd. of Dingham Township, 440 A.2d 1284 (Pa. Commw., 1982). When the language of a zoning regulation is clear and certain, there is nothing left for interpretation and the ordinance must be interpreted literally. Mongony v. Bevilacqua, 432 A.2d 661 (R.I., 1981).

The meaning of the words in a statute may be controlled by the context. A statute should be so construed that all its parts harmonize with each other and render them consistent with its general object and scope. Pittman v. Housing Authority, 25 A.2d 466.

The basic principles of statutory construction were comprehensively set out by the Court of Appeals in State v. Fabritz, 276 Md. 416, 348 A.2d 275 (1975), cert. denied, 425 U.S. 942 (1976):

The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature. Purifoy v. Merc. Safe Dep. & Trust, 273 Md. 58, 327 A.2d 483 (1974); Scoville Serv., Inc. v. Comptroller, 269 Md. 390, 306 A.2d 534 (1974); Height v. State, 225 Md. 251, 170 A.2d 212 (1961). Equally well-settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished. Walker v. Montgomery County, 244 Md. 98, 223 A.2d 181 (1966), and in light of

the evils or mischief sought to be remedied, Mitchell v. State, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be considered in its entirety, and in the context of the purpose underlying (its) enactment. Giant of Md. v. State's Attorney, 267 Md. 501 at 509, 298 A.2d 427 at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import of its language, since it is the language of the statute which constitutes the primary source for determining the legislative intent. Grosvener v. Supervisor of Assess., 271 Md. 232, 315 A.2d 758 (1974); Height v. State, supra. Where there is no ambiguity or obscurity in the language of a statute, there is usually no need to look elsewhere to ascertain the intention of the Legislature. Purifoy v. Merc. Safe Deposit & Trust, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its plain meaning. Gatewood v. State, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in Maguire v. State, 192 Md. 615, 623, 65 A.2d 299, 302 (1949), "(a) adherence to the meaning of words does not require or permit isolation of words from their context" (since) the meaning of the plainest words in a statute may be controlled by the context... In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. B. F. Saul Co. v. West End Park, 250 Md. 707, 246 A.2d 591 (1968); Sanza v. Md. Board of Censors, 245 Md. 319, 226 A.2d 317 (1967); Height v. State, supra.

In applying these principles to the B.C.Z.R., particularly Sections 101 defining accessory use or structure, and Sections 405.4C and 405.8A, the conclusion is inescapable that under the plain wording of said Sections, the proposed food mart is a "use in combination" and principal use and therefore, not a permitted ancillary use.

In the past when the Office has concluded it has erroneously interpreted and implemented a particular section of the B.C.Z.R., it has corrected its action and enforced the regulations as enacted. This would

not be the first and/or probably the last time the Zoning Commissioner and/or Deputy Zoning Commissioner will correct past misinterpretations of the regulations. See In Re, C-F Properties Partnership, Case No. 85-113-SPHA. In that case, the then Zoning Commissioner, Arnold Jablon, reversed a long-standing policy of the Zoning Office which permitted both sides of a multi-faced business sign to be computed as one for the purpose of determining the size permitted. The language of Section 413.2 was found to clearly not support such an interpretation. In this instance, the proposed express mart as a use in combination with a service station is a principal use and not an ancillary use and/or accessory use. While an ancillary use and/or accessory use may be similar, Section 101 of the B.C.Z.R. clearly sets forth the distinction between a "use in combination" and ancillary use and/or accessory use. As indicated, the zoning regulations distinguish between ancillary uses and uses in combination with service stations. See Sections 101 and 405.4C and D of the B.C.Z.R. The fact that a food mart is permitted as of right in the B.L. zone, as noted by Petitioner, does not change the outcome. The County Council has distinguished between a food mart use standing alone and a use in combination, which is not permitted as of right but only when and where the service station is permitted, and then only after a special exception hearing. In this instance the service station use is not permitted. Therefore, the special exception criteria set forth in Section 502.1 of the B.C.Z.R. need not be addressed.

After reviewing all of the testimony and evidence presented, it appears that the Petition for Special Exception should be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of February, 1990 that the Petition for Special Exception to permit a food store with less than 5,000 sq.ft. as a use in combination with a gasoline service station in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

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ORDER RECEIVED FOR FILING

Date 2/16/90
By [Signature]

respectively. Since this is an individual site in a CT district, the locational criteria listed in Subsection 405.2 would not be satisfied if this were an application for construction of a new station.

ARGUMENT

- A. The conversion of the existing island house kiosks to small Express Marts is, at most, an intensification of an existing use and not a new or different use.

The Baltimore County Zoning Regulations deal with nonconforming uses as follows:

A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these Regulations; provided that upon any change from such nonconforming use to any other use that would result in an abandonment or discontinuance of such nonconforming use for a period of one year or more, the right to continue or resume such nonconforming use shall terminate.

§ 104.1 (emphasis added).

A long line of Maryland cases has distinguished between an intensification of an existing use and an outright change to a new and different use. In Phillips v. Zoning Commissioner of Howard County, 225 Md. 102, 169 A.2d 410 (1961), the Court of Appeals considered the argument of a landowner who was trying to stretch a nonconforming second-hand furniture shop into a full-fledged junk yard. The Court explained the difference between a permissible intensification and an impermissible change in use:

While it is true that mere intensification of a nonconforming use is permissible so long as the nature of use is not substantially changed, it is generally recognized that the right of a landowner to continue the same kind of use to which the property was devoted on the critical date does not confer on him a right to subsequently change or add to that use a new and different use amounting to a drastic enlargement or extension of the prior existing use.

169 A.2d at 414 (emphasis added); see Jahnigen v. Staley, 245 Md. 130, 225 A.2d 277 (1967).

The most comprehensive treatment of the question of nonconforming uses in Baltimore County is found in the case of McKemy v. Baltimore County, 39 Md. App. 257, 385 A.2d 96 (1978). The principal issue in McKemy was the status of a parking lot, and the types of vehicles that could be parked thereon. In remanding the case back to the County Board of Appeals, the Court set out the factors which determine whether a proposed use (the "current use" in the context of the McKemy case) is a permissible intensification or an impermissible change to another use.

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2

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a food store with less than 5,000 square feet as a use in combination with a gasoline service station (Gas 'N' Go).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

One North Charles

Baltimore, Maryland 21201

City and State

Attorney's Telephone No.:

Legal Owner(s): Crown Stations, Inc.

William R. Snyder, Vice President/Administrator

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City and State

One North Charles

Baltimore, MD 21201

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Phone No.

Address

City and State

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 28 day of June, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19 day of Sept, 1989, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

- (1) to what extent does the current use of these lots reflect the nature and purpose of the original non-conforming use;
- (2) is the current use merely a different manner of utilizing the original non-conforming use or does it constitute a use different in character, nature, and kind;
- (3) does the current use have a substantially different effect upon the neighborhood;
- (4) is the current use a "drastic enlargement or extension" of the original non-conforming use.

385 A.2d at 104.

Under each of these tests, the charges proposed by Crown qualify as intensifications, and not changes.

1. Both before and after the proposed changes, the predominant and overriding use of all three properties would be a gasoline station. As shown, in part, by the zoning cases cited in the next section, convenience marts have become increasingly common at many gasoline stations. Many customers have come to expect such services.

2. The gasoline stations have always sold miscellaneous packaged goods, such as motor oil, transmission fluid, cigarettes, canned soda, etc., from the island kiosks. The proposed changes would result only in a structure that customers could enter to get out of the weather and that would be able to offer additional types of merchandise. The placement of the new structure under the canopy in the center of the station emphasizes to the public that the main purpose of the business continues to be the sale of gasoline. It is especially instructive that the Zoning Regulations refer to small food stores as "uses in combination" with gasoline stations, not as different or other uses. §405.4.D.8.

3. The proposed use would have no substantial effect on the neighborhoods of the respective stations. If there is any effect, it would be the positive effect of providing additional convenience to neighborhood residents and employees. There was no opposition to any of the three petitions covered by this memorandum. It is also critical to note that each of these stations is located in a B.L. zone, which specifically permits "food stores" as a matter of right. § 230.9. The description of the C.C.C. and C.T. districts also seem to specifically encompass convenience food stores.

4. Perhaps the clearest aspect of Crown's proposed changes at these locations is that they cannot possibly be considered "drastic enlargement[s] or extension[s]" of the existing uses. The proposed Express Marts would fit almost

* See §§ 259.2.C (C.C.C. district includes "shopping opportunities for convenience goods"), 259.2.D (C.T. district includes "pedestrian-oriented retail uses of a type ordinarily producing relatively high income and profit per square foot of sales area").

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Crown Station MD-34
1507 Reisterstown Road
Pikesville, MD 21208

ZONING DESCRIPTION

Located on the North East side of Reisterstown Road 152.15' southeast of Old Court Road and then running the following courses and distances: N 62° 39' 40"E 153.0'; thence S 41° 07' 46"E 167.99'; thence S 47° 52' 33"W 143.07'; thence N 41° 34' 33"W 207.08'; to the point of the beginning.

Containing 26,834 square feet or .616 AC +.

Property also known as 1507 Reisterstown Road.

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IN RE: PETITIONS FOR SPECIAL EXCEPTIONS, * BEFORE THE
SPECIAL HEARINGS, AND VARIANCES * ZONING COMMISSIONER
FOR * OF BALTIMORE COUNTY
LOCH RAVEN S. OF TAYLOR * Case No. 90-93-SPHX
REISTERSTOWN AND STRAW HAT * Case No. 90-94-SPHXA
REISTERSTOWN S. OF OLD COURT * Case No. 90-95-X
* * * * *

Petitioner, Crown Central Petroleum Corporation, hereby submits this Memorandum of Law in support of its petitions as indicated at the conclusion of each of the hearings in the three cases listed above. As requested, this memorandum addresses only the legal issues raised at those hearings regarding the appropriateness of adding a small food store (Express Mart) to existing Crown Service stations.

PENDING CASES

In Case # 90-93-SPHX (Loch Raven near Taylor), the service station was granted a redistricting and special exception on 12/30/70 as a result of Case #70-229-RX. The redistricting changed the zoning from a B.L.-CCG to a B.L.-CSA district. Because this was an individual site in a CSA district and in accordance with Subsection 405.2.A.2, all requirements of this subsection were satisfied, and the existing use was constructed as a matter of right without requiring a public hearing. Subsequent to the aforementioned zoning hearing, the 1971 comprehensive zoning maps changed the zoning of the subject property, to its present B.L.-CCG classification. Consequently, if this were an application for a new service station on a vacant site, it would not satisfy the locational criteria for constructing a new service station as indicated by Subsection 405.2.

The service station in Case # 90-94-SPHXA (Reisterstown and Straw Hat) was granted a reclassification and special exception as a result of Case #5637-RX, which was granted on 9/27/62. The subject property is zoned B.L. with no district superimposed. Again, if this were a new service station on vacant land, it would not satisfy any of the locational criteria in Subsection 405.2.

In Case # 90-95-X (Reisterstown near Old Court), a review of the zoning records failed to find a previous hearing for the existing station. However, the zoning of the property from March 1971 to sometime in late 1980 was B.L.-CSA. In accordance with Subsection 405.2.A.2, the property satisfied the requirements of this subsection, and therefore, it was constructed after March 1971 and permitted as a matter of right without requiring a public hearing. With the adoption of succeeding comprehensive zoning maps in 1980 and 1984, the zoning was changed to B.L.-CCG and then to its present B.L.-CT zoning,

Case # 89-494-XSPH

Applicant - Exxon

Decision

Hearing was originally scheduled for June 7, 1989. However, the attorney for the petitioner by letter dated 5/30/89 requested a postponement until the CCG plan has been reviewed and comments addressed. The request is for special exception for a use in combination with a service station and a special hearing to amend the site plan.

Comments

This service station was granted a special permit on April 4, 1946 by Case #606.

The current zoning of the property is B.L.-CS-1 and M.L.-CS-1. In accordance with Subsection 405.2.B.5, among other restrictions, on an individual site in a C.S.-1 district, a service station is permitted as a special exception if access is solely to a Class I commercial motorway. At this location, Pulaski Highway satisfies this criteria, but Ebenezer Road does not.

Even though as of this writing the petition still has not been heard it is included in this report. It is noteworthy that this case was processed by the zoning office with no adverse comments from said office or any other county agency, People's Counsel or the Director of Planning regarding a possible zoning violation.

entirely under the existing canopies, would not change the number of gasoline pumps or islands, and would take up a very small portion of the existing lots (approximately 1.34 at Reisterstown and Straw Hat; 1.74 at Reisterstown near Old Court; and 1.94 at Loch Raven near Taylor). Virtually all of the cases cited in section B below involved much larger food stores, some of which were located in separate buildings, not under existing canopies.

Under the criteria in McKemy, Crown's proposed changes qualify as permissible intensifications of existing nonconforming uses. They are not changes to other uses.

- B. The conclusion that these proposed changes are permissible is reinforced by the other cases in which the Zoning Commissioner's office has granted similar petitions for gasoline stations that are apparently nonconforming uses.

Under Subsection 405.4.D.8, a food store with less than 5,000 square feet of area is permitted as a use in combination with a service station provided a special exception is obtained.

Since 1967, and particularly within the last 4-5 years, oil companies have been developing existing and new sites with food stores with less than 5,000 square ft. as uses in combination with service stations. These food stores have taken the form of new large to medium size free-standing stores, conversion of part of service bays to retail areas and also the conversion of small free standing kiosk buildings, usually on the pump island, to include some retail sales. Many of these conversions and/or new structures have required zoning hearings and the result and summary of those cases from 1985 that have a direct bearing on this memorandum have been enumerated in the following pages.

Since the adoption of Bill 40, a number of comprehensive zoning maps have been adopted for Baltimore County (i.e. 71, 76, 80, 84, and 88). With the adoption of those comprehensive zoning maps, various properties, improved with service stations, have had "conforming" districts superimposed over the existing zoning, some have had "nonconforming" districts superimposed (i.e. zoning action would be necessary to locate a service station on vacant land with this zoning/district), others have had districts superimposed and then changed or removed with subsequent maps, while still others have never had a district superimposed at all.

In several cases, the Zoning Commissioner specifically noted that it is clear that the proposed use was permitted in the applicable zone. This petitioner located no case in which the Zoning Commissioner's office denied a similar proposed use due to the apparently nonconforming status of the service station.

An explanation of various cases follows and, where available, copies of the opinions of the Zoning Office are attached as an Appendix.

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Decision

On 5/23/89, the zoning commissioner granted a special exception for a car wash use on the subject property and a variance for sign area. It should be noted here that despite the fact that this is not a food store, a car wash as a use in combination with a service station must satisfy the same criteria as a food store as a use in combination.

Comments

The existing service station was granted a reclassification and special exception by the Board of Appeals on 2/14/63 as a result of Case #5693-RX.

The subject property is currently zoned B.L. with no district superimposed. In the opinion of the zoning commissioner he states "...it is clear that the B.C.Z.R. permits the use proposed in a B.L. zone by special exception."

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Decision

On 1/20/89, the zoning commissioner granted a special hearing to prove a nonconforming use for a service station with parking in a residential zone and a special exception for a food mart, use in combination with the existing service station.

Comments

The existing service station was granted a reclassification and special exception on 5/8/58 as a result of Case #4406-RX.

The subject property is (was) currently zoned B.R./D.R.5.5 with no district superimposed. In the opinion of the zoning commissioner, he states "...it is clear that the BCZR permits the proposed use in the B.R. and D.R.5.5 zones by special exception."

Of particular interest in this case is the fact that the service station was clearly noted as a nonconforming use and still the zoning office approved the food mart as a use in combination.

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Decision

On 11/28/88, the zoning commissioner granted with restrictions a special exception for a gasoline station with a convenience store facility and variances for setback, sign and lot area.

Comments

The existing service station was granted a special exception on 2/19/59 as a result of Case #4460-X.

This property is (was) zoned B.L. with no district superimposed, and it does not satisfy any of the locational criteria in Subsection 405.2 for locating service stations on undistricted property.

In the opinion of the zoning commissioner, he states "it is clear that the BCZR permits the use proposed in a B.L. - CS-2 zone by special exception." As stated above, the property is (and was) undistricted. Even assuming, arguendo, that the description of the zoning is correct (i.e. B.L.-CS-2), the locational criteria listed in Subsection 405.2.B.1 are still not satisfied.

Decision

On 9/19/88, the deputy zoning commissioner granted a special exception for a gasoline service station in combination with a food store and a variance for sign area.

Comments

This service station was granted a special exception on 3/7/62 as a result of Case #5455-XA.

This property is (was) zoned B.M.-IM and under Subsection 405.2.B.6, a service station on an individual site cannot have direct access to an arterial street other than a Class I commercial motorway. In this location, Woodlawn Drive is a Class II commercial motorway. In the opinion of the deputy zoning commissioner, it is stated that "...it is clear that the B.C.Z.R. permits the use proposed in a B.M.-IM zone by special exception."

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Decision

On March 30, 1988, the zoning commissioner granted a special exception for a food store as a use in combination with a service station and a variance for lot area.

Comments

This service station was granted a reclassification and special exception on 6/28/61 as a result of Case #5305-RX.

The subject property is (was) zoned B.R. with no district superimposed and does not satisfy any of the locational criteria for constructing a new service station as indicated in Subsection 405.2.

Decision

On 2/22/88, the zoning commissioner granted a special exception for a food store and car wash as uses in combination with a service station, a special hearing to amend a previous site plan, and a variance for sign area.

Comments

This service station was granted a reclassification, special exception and variance on 2/21/61 as a result of Case #5214-RXA.

The subject property is (was) zoned B.L. with no district superimposed and does not satisfy any of the locational criteria for constructing a service station as indicated in Subsection 405.2.

It should be noted in this particular case, the special exception was for both a food store and a car wash (Subsection 405.4.D.4) as uses in combination.

Decision

On 6/8/88, the Board of Appeals granted a special exception for a food store as a use in combination and variance for sign area on appeal from the decision of the zoning commissioner, who granted the request on 12/19/87.

Comments

This service station was granted a special exception on 11/15/65 as a result of Case #65-366-X.

The subject property is (was) zoned B.L. CS-2 and does not meet the locational criteria for constructing a service station as indicated in Subsection 405.2.

This decision was appealed by the petitioner who questioned two restrictions in the order, and the protestants questioned the use in general, but not the nonconforming status of the service station.

MICROFILMED

Decision

On 4/16/85, the deputy zoning commissioner granted a special hearing and special exception to convert an existing service station to a gas and go operation and for a use in combination with a service station and a variance for sign area.

Comments

This service station was granted a special exception on 11/29/55 as a result of case #3667.

This property is (was) zoned B.L.-CCG, and under Subsection 405.2, there is no provision for locating a service station on an individual site in a CCG district.

CONCLUSION

Case law and the prior rulings of the Office of the Zoning Commissioner support this Petitioner's request for Special Exceptions to permit small Express Marts under the canopies at the three locations involved in these cases.

Under the criteria listed in the McKamy case and the other cases cited above, these Express Marts constitute an "intensification" of an existing service station use, not a "drastic enlargement or extension." The predominant use of these properties, both before and after the proposed changes would be as a gasoline station; the physical changes to the properties would be minimal; and the proposed convenience stores are specifically permitted in the zone applicable to all three locations (S.L.).

This interpretation of the zoning regulations and case law is entirely consistent with the numerous opinions of the Office of the Zoning Commissioner that have approved petitions to add convenience food stores to existing service stations in what are apparently nonconforming zones or districts. None of the case files, and none of the opinions reflect any adverse comments from the zoning office, the Director of Planning, People's Counsel, or any other county agency regarding a possible zoning violation.

Respectfully submitted,

Andrew Lapsowker
Andrew Lapsowker
P.O. Box 1168
Baltimore, MD 21203
301-659-4834
Attorney for Crown Central Petroleum Corporation

15

MICROFILMED

APPENDIX

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
ANDREW LAPSOWKER	P.O. Box 1168 Baltimore 21203
Michael P. Malone	P.O. Box 1168 Baltimore 21203
GEORGE RUPPINGER	1507 REISTERSTOWN RD 2108
ROBERT F. RASMUSSEN	P.O. Box 1168 Baltimore 21203

MICROFILMED

Case #85-56-X

Applicant - SHELL

DECISION

On 8/30/89, the zoning commissioner granted a special exception for a food store as a use in combination with a service station.

COMMENTS

This service station was granted a special exception and variance on 4/9/63 as a result of Case #5816-XA.

The subject property is (was) zoned B.M.-CCG, and under Subsection 405.2 there is no provision for locating a service station on an individual site in a CCG district.

MICROFILMED

14

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 9/6/89

Crown Stations, Inc.
One North Charles Street
Baltimore, Maryland 21201

Re: Petition for Special Exception
CASE NUMBER: 90-95-X
NES Reisterstown Road, 152' SE of Old Court Road
1507 Reisterstown Road
3rd Election District - 2nd Councilmanic
Petitioner(s): Crown Stations, Inc.
HEARING SCHEDULED: TUESDAY, SEPTEMBER 19, 1989 at 2:00 p.m.
Gentlemen:

Please be advised that \$85.40 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the zoning sign and post set(s) to the County Office Building, Maryland fifteen (15)

BALTIMORE COUNTY, MARYLAND No. 074418
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 9/19/89 ACCOUNT R-001-615-000

AMOUNT \$ 85.40

RECEIVED FROM Crown Stations, Inc.

FOR PAID 9/19/89 (Case: 90-95-X)

B 103*****85408 3201F

VALIDATION OR SIGNATURE OF CASHIER

& post set(s), there int for each such set

see

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 29, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 29, 1989

THE JEFFERSONIAN,

Publisher

PO 16238
reg 1134132
cs 90-95-X
price \$39.40

REAL ESTATE
ALL GOVERNMENT SEIZED
Houses, Apts, 1.00 Yearly For
Foreclosure Information: 1-800-468-1821 ext. 591

LEGAL NOTICE
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County is holding a public hearing on the proposed special exception for a food store as a use in combination with a service station on the property located at 1507 Reisterstown Road, Baltimore, Maryland 21204. The hearing will be held on Tuesday, September 19, 1989 at 2:00 p.m. in the County Office Building, Room 106, 111 W. Chesapeake Avenue, Towson, Maryland 21204.

FOR RENT
Come Home to
LIBERTY WEST APARTMENTS
Windows in Kitchen and Bath for Added Light and Ventilation • Hot and Cold Water Included • In-Room • Plenty of Spacious Closets • Ample Storage and Laundry Facilities in Each Building • Pre-Wired for Cable • Stay Safe • On-Site Management

APARTMENTS AVAILABLE FOR LEASING
Rental Office: 922-3683
Mon-Sat: 9 A.M. - 5 P.M.

Workshops for Small Businesses
The Maryland Small Business Development Financing Authority (MSBDA) of the Department of Economic and Employment Development (DEED) is sponsoring a series of three-day seminars on "Preparing for Success" and a series of one-day "Workshops" at four locations throughout the state for small business entrepreneurs.

Get into shape close to home.
Charm Apartments
• Fitness center
• Aerobics
• Hot tub
• Tennis
• Swimming pool
• Full size washer and dryer
• Much, much more
Families with incomes between \$17,000 and \$33,000 given special consideration.
Models open Mon. thru Sat. 10 to 6 Sun. 1 to 6
DIRECTOR: Jeff McDonough
Road in Owings Mills.
PHONE: (301) 363-8050

23 August, 1989 / Northwest STAR / Page 23

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Exception
CASE NUMBER: 90-95-X
NES Reisterstown Road, 152' SE of Old Court Road
1507 Reisterstown Road
3rd Election District - 2nd Councilmanic
Petitioner(s): Crown Stations, Inc.
HEARING SCHEDULED: TUESDAY, SEPTEMBER 19, 1989 at 2:00 p.m.

Special Exceptions A Food store with less than 5,000 square feet as a use in combination with a gasoline service station (Gas 'N' Go).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

MICROFILMED

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRHigs

cc: Crown Stations, Inc.
Andrew Lapsowker, Esq.
File

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

90-95-X

District: 3rd Date of Posting: 9-28-89

Posted for: Special Exceptions

Petitioner: Crown Stations, Inc.

Location of property: N.E. side of Reisterstown Road, 152' S.E. of Old Court Road (1507 Reisterstown Road)

Location of Sign: On front of 1507 Reisterstown Road

Remarks:

Posted by: J.D. Gault Date of return: 9-1-89

Number of Signs: 1



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

June 21, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

Re: Baltimore County
Crown Stations, Inc.
Zoning meeting, 6/27/89
N/S Reisterstown Road
MD 140
152' east of Old
Court Road
Item #528

Dear Mr. Haines:

After reviewing the submita of a Special Exoception for a food store with less than 5,000 sq. are feet, as a use in combination with a gasoline service station, we find the plan must be revised to show a future 80' right-of-way on Reisterstown Road.

If you have any questions, contact Larry Brocato (333-1350).

Very truly yours,

James Dyer
James Dyer, Jr. Chief
Engineering Access Permits
Division

LB-es

cc: Crown Central Petroleum
Mr. J. Ogle

RECEIVED
JUN 27 1989

ZONING OFFICE

FAX #333-1041

My telephone number is (301) 333-1350 -

Typewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 406
Towson, Maryland 21204
(301) 887-3554

July 24, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

RECEIVED
AUG 3 1989

ZONING OFFICE



Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 525, 527, 528, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 557, 558 and 559.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/lab

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

7/10/89
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 526, Zoning Advisory Committee Meeting of June 27, 1989

Property Owner: Crown Stations, Inc.

Location: 1507 Reisterstown Road District: 3

Water Supply: metro Sewage Disposal: metro

COMMENTS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.

() Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.

() A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.

() Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3743, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.

() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3743.

() Soil percolation tests, have been _____, must be _____, conducted.
() The results are valid until _____
() Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
() shall be valid until _____
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.

() In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.

() Others _____

Michael S. Flanagan
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Al Wirth - SWM DATE: August 17, 1989
Bob Bowling - Dev. Eng. (3)
Frank Fisher - Current Planning
Rahim Famili - Traffic Engineering
Rocky Powell - DEPRM
Larry Filson - DEPRM
Dave Flowers - DEPRM
Carl Richards - Zoning
Capt. Kelly - Fire Department
Pat Kincer - Rec. & Parks
Chuck Weiss - Sanitation
Larry Brocato - SHA

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: Crown - 1507 Reisterstown Road
Crown Central
539-7400
W-88-261

RECEIVED AUG 18 1989
to JLL

MICROFILMED

The subject property was granted a waiver of CRG meeting by the Office of Planning & Zoning. However, CRG approval signatures must be obtained.

Please review the attached plan for concurrence with current development regulations and give us your approval or comments by September 17, 1989. Nonresponsiveness by the aforementioned date is considered to be concurrence by your office of the plan.

SW:g
Attachment
cc: File

(SEE OTHER SIDE FOR COMMENTS)

1. Zoning Office records do not indicate that a special exception hearing for the service station use has ever been granted. If this is the case, the fact that the site is now within a B.U.-C.T. district establishes that the current use status of the service station is nonconforming and, therefore, no change in use or any substantial enlargement is permitted. (S.104, BCZR) SEE REVISED COMMENTS.

2. If the service station site can comply with S.405.2.B.4 (B.C.Z.R.) and meet the standards of S.405.5 and other applicable requirements of S.405, a special exception for the service station can be requested, along with the use in combination.

John L. Lents
JOHN L. LENTS
Planning & Zoning Associate III

REVISED COMMENTS: 9/11/89. PLAN RETURNED TO PUBLIC SERVICES. COMPLIANCE WITH ALL REQUIREMENTS OF S.405 MUST BE SHOWN ON THE PLAN PRIOR TO APPROVAL.

In addition to the hearings proposed on the plan, a Special Hearing will be required to determine if the use in combination is permitted under S.405.8 as it references S.405.4.C (B.C.Z.R.).

MICROFILMED

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500

Paul H. Reincke
Chief

JUNE 26, 1989



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
TOWSON, MD 21204

RE: Property Owner: CROWN STATIONS, INC.

Location: #1507 REISTERSTOWN ROAD

Item No.: 526 Zoning Agenda: JUNE 27, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet intervals along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

CRG 11.
ALL SELF-SERVICE STATIONS SHALL HAVE 1 ATTENDANT ON DUTY WHILE THE STATION IS OPEN TO THE PUBLIC. THE ATTENDANT'S PRIMARY FUNCTION SHALL BE TO SUPERVISE, OBSERVE, AND CONTROL THE DISPENSING OF CLASS I LIQUIDS WHILE ACTUALLY BEING DISPENSED. NFPA 30, 1987 ED., SEC 7-8.4.3 AND SEC 7-8.4.4.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *John L. Lents* 6/26/89
Planning Group
Special Inspection Division

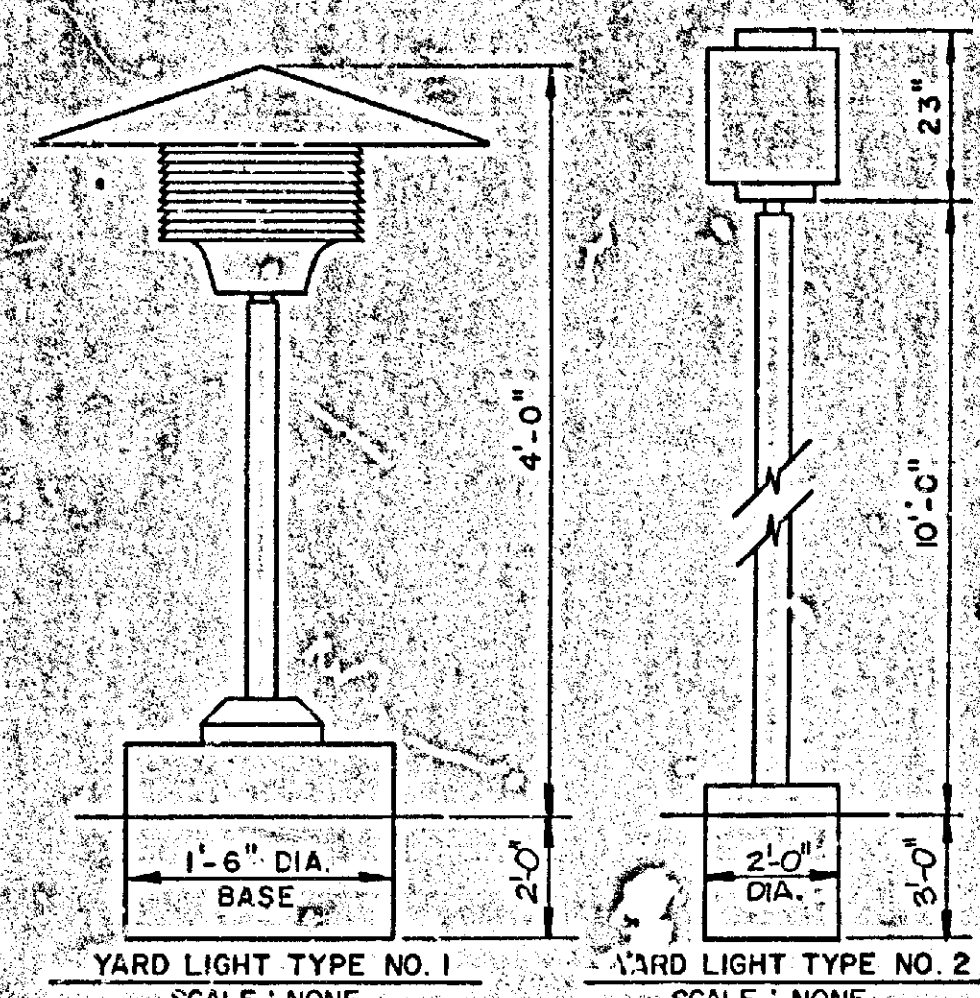
Noted and
Approved

Capt. Wm. Brady
Fire Prevention Bureau

JK/KEK

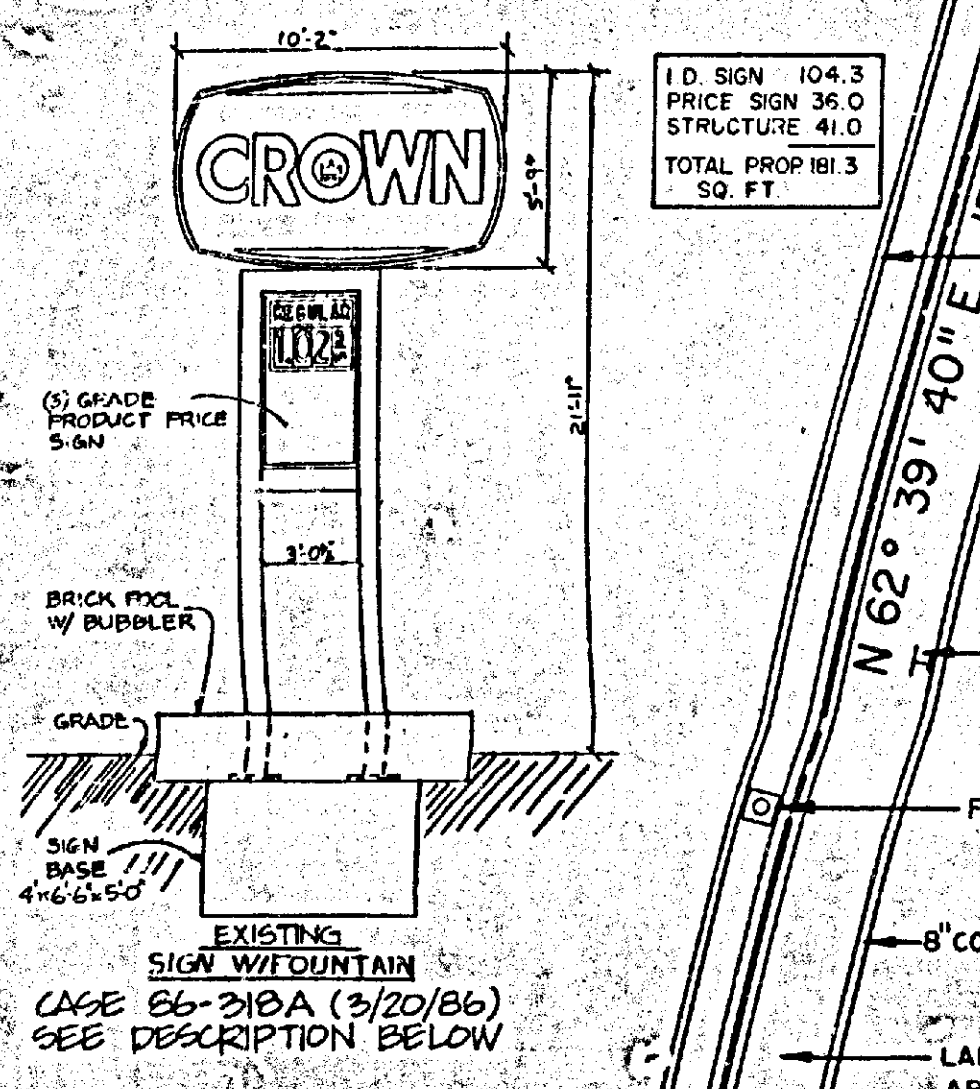
JUN 27 1989

MICROFILMED



LIGHTING NOTES:
 TYPE NO. 1 - GUARDIAN LOW LEVEL LIGHTS - 4' HIGH
 TYPE NO. 2 - STERNER KUBE-LITE KSC 15-250M
 10.0 SQ 250 WATT MERCURY LAMP
 10' MOUNTING HEIGHT

SAYINGS BANK OF BALTO.
 RECORD PLAT 301152



ZONED "BL-CT" RETAIL
 15' STORMDRAIN

TRANSFORMER ON CONC PAD

MANHOLE

LANDSCAPE AREA

152.15' TO OLD COURT ROAD

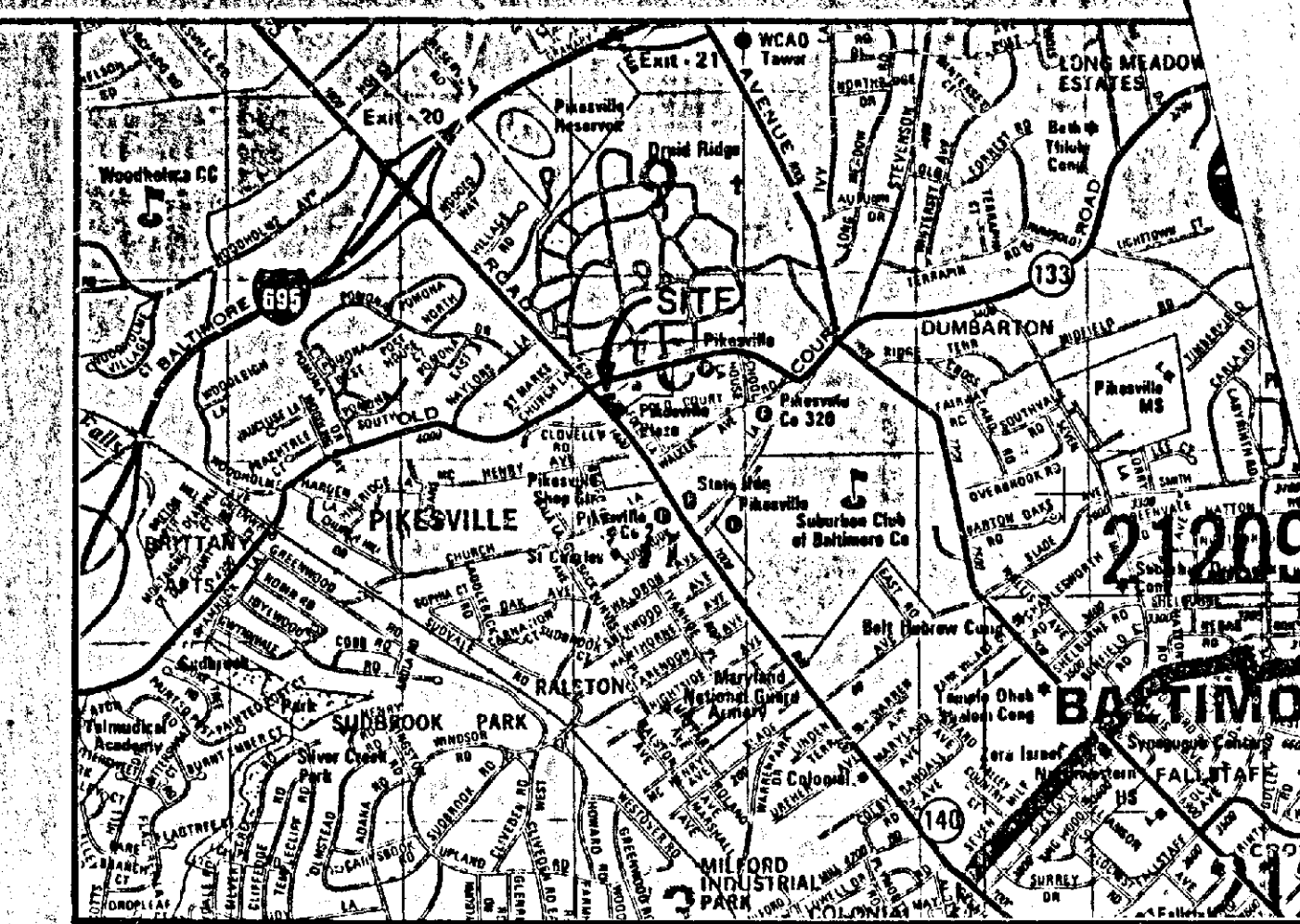
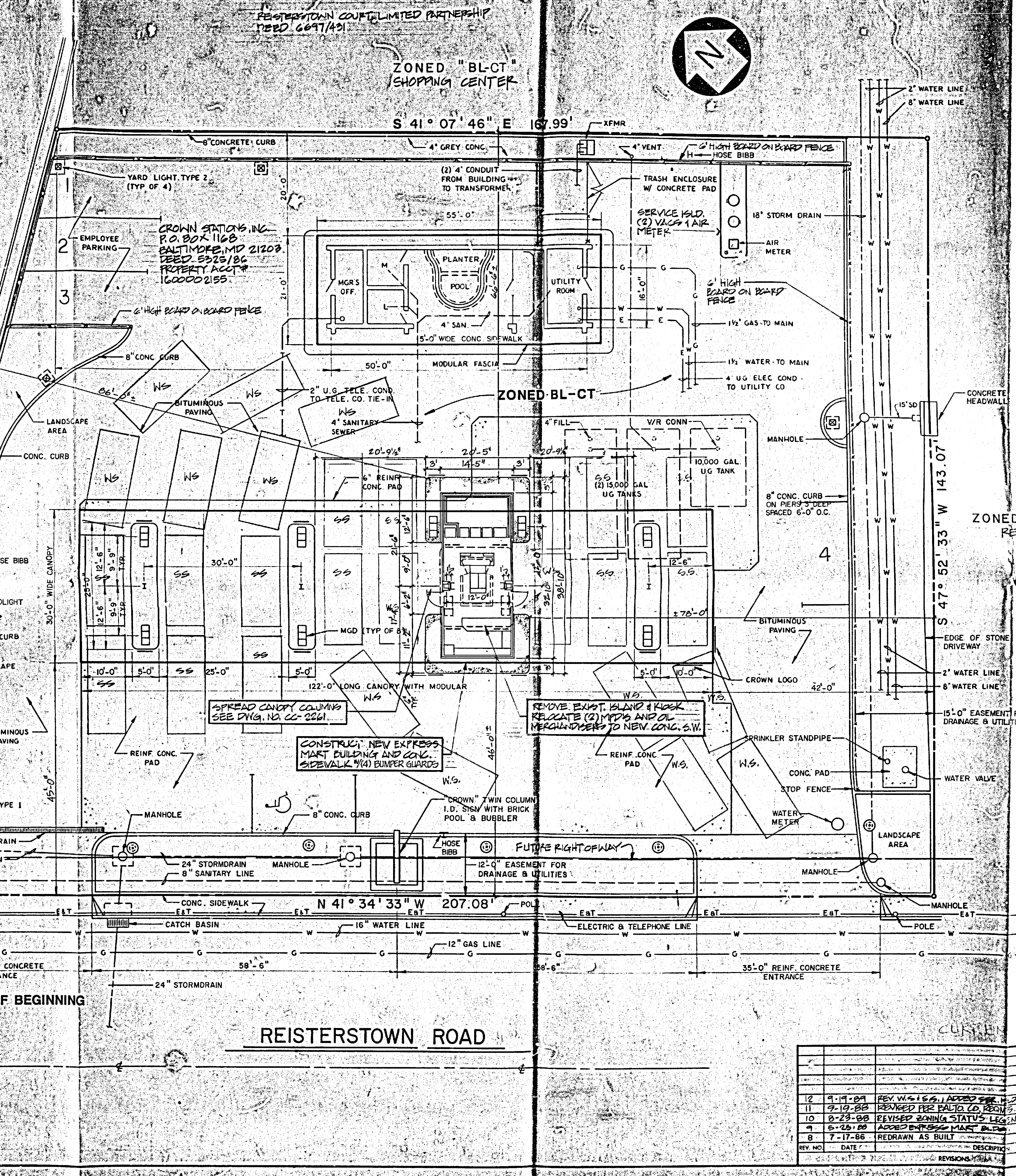
POLE

CURB & GUTTER

33'-0" FUTURE ROAD

POINT OF BEGINNING

24" STORMDRAIN



VICINITY MAP
 SCALE: 1" = 2000'

ZONING INFORMATION
 EXISTING ZONING: BL-CT
 PROPOSED ZONING: SAME WITH S.E.
 SPECIAL EXCEPTION - FOOD STORE AS USE IN COMBINATION W/ A GASOLINE SERVICE STATION (GAS + GO).

AREA REQUIREMENTS:
 4 DISPENSER ISLANDS WITH 8 DISPENSERS, CAPABLE OF SERVING 14 CARS AT ONE TIME.
 TOTAL SERVICING SPACES = 14
 TOTAL SERVICING BAYS = 0
 TOTAL SPACES AND BAYS = 14
 TOTAL AREA REQUIRED = 14 X 1,500 SF = 21,000 SF (USE 15,000 SF MIN.)
 TOTAL WAITING SPACES = 14

ANCILLARY USES:
 MINOR ACCESSORY USES AS PERMITTED IN SECTION 405 OF BCZP
 NO ADDITIONAL SQUARE FOOTAGE REQUIRED

COMBINATION USES:
 FOOD STORE SALES (MINI MARKET)
 ADDITIONAL SQUARE FOOTAGE = FACTOR 4 X 462 SF = 1,848 SF
 TOTAL AREA REQUIRED = 15,000 SF + 1,848 SF = 16,848 SF
 TOTAL AREA OF TRACT = 26,834 SF OR 12.12 AC

ACCESS POINTS:
 NUMBER OF DRIVEWAYS ON MAJOR STREET
 REQUIRED SITE WIDTH = 2 X 65' = 130'
 ACTUAL SITE WIDTH = 207'

LANDSCAPING:
 LANDSCAPING REQUIRED (5% OF SITE) = 1,342 S.F.
 LANDSCAPING PROVIDED = 2,010 S.F.

PARKING:
 PARKING SPACES REQUIRED = 1 FOR EVERY 200 S.F. OF FLOOR SPACE (RETAIL) + 3.3 EVERY 1000 S.F. ACCESSORY
 = 462 S.F. + 200 S.F. = 2.31
 4 PARKING SPACES PROVIDED = 231 USE 2 (INCLUDING 1 HANDICAPPED)

AREA DISTURBED BY NEW CONSTRUCTION = 800 S.F. ±

EXISTING
 EXIST USE: "GAS & GO" SERVICE STATION
 PROP. USE: SAME + EXPRESS-MART
 LIGHTING - EXISTING TO REMAIN.

ELECTION DISTRICT 3rd
 COUNCILMANIC DISTRICT: 2nd
 CENSUS TRACT: 4034.01
 WATERSHED: 23
 SUBWERSHED: 59

CRG PLAN

PLOT PLAN FOR SPECIAL EXCEPTION

MD-34

CROWN CENTRAL PETROLEUM CORPORATION			
PRODUCERS • REFINERS • MARKETERS OF PETROLEUM PRODUCTS AND PETROCHEMICALS			
GENERAL OFFICES • ONE NORTH CHARLES • P.O. BOX 1148 • BALTIMORE, MARYLAND 21205			
PLOT PLAN OF CROWN SERVICE STATION			
1507 REISTERSTOWN ROAD NR. OLD COURT ROAD			
PICKESVILLE, MARYLAND			
SCALE: 1" = 10'-0"	DATE: 15 JULY 1986	STATION NUMBER: MD-34	
DRAWN BY: MCM / 2-3	CHECKED BY:	DRAWING NUMBER: CCP 7031-R	REV. NO. 12

REV. NO.	DATE	DESCRIPTION
12	9-19-89	REV. W. 16.5, 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 2.0, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 4.0, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.0, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 6.0, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 7.0, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 8.0, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 9.0, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 12.0, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9, 13.0, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, 14.0, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 15.0, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 16.0, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 16.8, 16.9, 17.0, 17.1, 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9, 18.0, 18.1, 18.2, 18.3, 18.4, 18.5, 18.6, 18.7, 18.8, 18.9, 19.0, 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